

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare – Land Acquisition – Nizamabad District – Khulaspur (V), Nizamabad(M) - Acquisition of land to an extent of. 11817 Square Yards in Sy. No 298,302,303 - for providing house sites to the weaker section's people – Sanction of Rs 3,54,268/- - towards balance decretal charges, as ordered in O.P.No. 489/1995 / AS No.600/2003 – Orders – Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O. Rt. No 258

Dated: 17.03.2010.

Read the following:

1. From the District Collector, Nizamabad, Lr. Rc. No. G2/LA/3257/2006, Dated:13/09/2009.
2. From the Commissioner of Social Welfare, AP., Hyderabad Lr..No. LA2 / 8368/2009, dt.12/10/2009.
3. From the CCLA, AP, Hyderabad, Lr. No. G3/1645/2009, Dated. 23/12/2009.

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ORDER:-

In the reference 3rd read above, the Chief Commissioner of Land Administration, AP, Hyderabad has stated that the LAO/RDO, Nizamabad has acquired land to an extent of Ac. 3-26 ½ Gts of patta lands IN Sy.Nos 298,302, and 303 situated at Khulaspur village of Nizamabad Mandal for providing house sites to the weaker section's people and an Award was passed by fixing the land value @ Rs. 15,000/- per acre and paid land compensation. Aggrieved with the orders passed by the LAO/RDO, Nizamabad, the awardees after receipt of land compensation have filed protest application U/s 18 of L.A Act to refer their cases to civil court, which was numbered as O.P.No. 489/1995. The Hon'ble Addl. District Judge, Nizamabad has delivered judgment and decree in O.P.No. 489/1995 on 25/04/2002 enhancing the land value @ Rs. 15/- per Sq. Yard and deduct 1/3rd of the same for development purpose with admissible benefits of 30% Solatium and 12% additional market value and 9% interest for one year and thereafter 15% interest till realization on three components ie., Market Value, 30% Solatium & Addl. Market Value. Against the orders of the lower court, the LAO has preferred an appeal in Hon'ble High Court of AP. The High Court has granted interim stay in A.S.No. 600/03 on 12/03/2003 subject to condition that the LAO should deposit half of the enhanced decretal charges within (8) weeks from the date of receipt of the orders. The LAO/RDO Nizamabad has deposited an amount of Rs.1,99,550/- in Lower Court and the appeal was dismissed on 24.11.2008 by High Court. The Govt., Pleader for Appeals has opined that it is not a fit case filing SLP in the Supreme Court of India. The Collector Nizamabad District has submitted proposals for release of decretal charges.

2. The CCLA., AP., Hyderabad, after scrutiny of the proposal along with the calculation sheet furnished by the Collector, Nizamabad District has requested the Government for sanction an amount of Rs. 3,54,268/- towards payment of decretal charges in respect of the acquisition of the said land.

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3. After careful examination, the Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release an amount of Rs. 3,54,268/- (Rupees Three lakhs fifty four thousand two hundred and sixty eight only) to the District Collector, Nizamabad towards payment of balance decretal charges, as per Hon'ble High Court orders in A.S. No. 600/2003 in OP No.489/95, dated 24.11.2008 in respect of the land acquired to an extent of 11817 Square Yards bearing Sy. No. 298, 302, 303 situated at Khulaspur village of Nizamabad (M) of Nizamabad District, for providing of house sites to the weaker section's people.

4. The amount of expenditure sanctioned in para (3) above shall be met within the B.E. 2009-10 and debited to the following Head of Account:

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites to weaker sections in Indiramma Programme - 310/312 – other Grants-in-aid” .

5. The Commissioner of Social Welfare, A.P., Hyderabad, is directed to issue necessary proceedings to the District Collector, Nizamabad to comply with the Court orders.

6. The District Collector, Nizamabad shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued vide U.O.Note No.12869/196/ A1/Esp.SW/2009, dated..22.05.2009 and U.O. No. 15926/256/A1/1/ Expr.SW/09, dated.17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare, A.P., Hyderabad.
The Chief Commissioner of Land Administration, AP, Hyderabad.
The District Collector, Nizamabad District..
Copy to:
The Director of Treasuries & Accounts, A.P. Hyderabad.
The Accountant General, A.P., Hyderabad
The District Treasury Officer, Nizamabad District.
Finance (Exp.SW/BG) Department.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER